

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

DEC 14 2023

DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS  
CLERK

UNITED STATES OF AMERICA  
vs. PLAINTIFF #20CR1849KWR  
KENNETH LUCIOUS  
defendant

MOTION TO WITHDRAW COUNSEL

COMES NOW, THE defendant, KENNETH LUCIOUS,  
ON HIS OWN BEHALF, AND respectfully requests  
THIS COURT REMOVE CURRENT COUNSEL OF RECORD  
FOR THIS, THE above numbered CASE,

FROM SERVING AS COUNSEL, WHICH COUNSEL  
IS BJ. CROW

HISTORY:

ON AUGUST 26TH 2020,  
KENNETH LUCIOUS WAS ARRESTED IN  
ALBUQUERQUE, NEW MEXICO, FOR SEVERAL ALLEGED  
CRIMINAL VIOLATIONS, SUBSEQUENTLY, WITHIN  
WEEKS THERE ALLEGED CHARGES WERE NOTED,  
PROSECUTED IN THE STATE COURTS. AND MR LUCIOUS  
WAS INDICTED BY THE FEDERAL COURTS FOR  
POSSESSION WITH INTENT TO DISTRIBUTE 50 GRAMS  
AND MORE OF A MIXTURE AND SUBSTANCE

①

CONTAINING METHAMPHETAMINE. DURING THE PROCESS MR LUCIOUS WAS APPOINTED BJ CROW A PUBLIC DEFENDER SINCE THE CHANGE OF COURTS & SYSTEMS. SINCE HAVING RECEIVED BJ CROW THE RELATIONSHIP BETWEEN MR LUCIOUS AND COUNSEL OF RECORD HAS BEEN TURBULENT FOR THE DEFENDANT

AT BEST,

CLAIMS: MR LUCIOUS, ACCORDING TO HIS HISTORY AND FEDERAL RULES OF CRIMINAL PROCEDURE, IS NOT ELIGIBLE IN CRITERIA FOR ENHANCEMENT YET COUNSEL OF RECORD, B.J. CROW BOMBARDS MR LUCIOUS IN EVERY DIALOGUE, TO ACCEPT TERMS OF ENHANCEMENT WHICH MAKES FOR A STRESSFUL ~~CONV~~ CONVERSATION. PARTICULARLY WHEN AS A TRAINED ATTORNEY, MR CROW IS WELL AWARE THAT THE ENHANCEMENT DOES NOT APPLY IN THIS CASE. THEREFORE MR LUCIOUS IS

LEFT WITH SERIOUS DOUBTS AS TO WHAT COUNSEL INTERESTS MAY BE CERTAINLY NOT MR LUCIOUS BEST INTEREST. A MAJOR CONFLICT OF INTEREST

Also, MR LUCIOUS HAS OFFERED A PLAUSIBLE ALTERNATIVE DEFENSE STRATEGY OR FAT TACTIC YET MR CROW HAS IGNORED THE SUGGESTION, THIS IN § 14A.03 IS GROUNDS FOR INEFFECTIVE CLAIMS. THE ALTERNATE STRATEGY IS REASONABLE UNDER THE FACTS AND IS THE MAJOR LINK BETWEEN THE ACTUAL CONFLICT AND THE DECISION TO FOREGO THE ALTERNATIVE DEFENSE.

clearly if MR LUCIOUS IS DEEMED ENTIRELY TOO "STUPID" TO ENGAGE IN THE ASSISTANCE OF HIS CASE, THEN THERE CAN BE NO ATTORNEY CLIENT RELATIONSHIP. FOR THIS CAUSE, THE DEFENDANT RESPECTFULLY MOVES THE COURT TO REMOVE MR CROW AS COUNSEL OF RECORD

MR LUCIOUS ALSO REQUESTS A HEARING TO DETERMINE THIS MATTER AS SOON AS THE COURT'S CALENDAR PERMITS

Respectfully submitted/ By:  
PRINT: KENNETH LUCIOUS

Sign: Kenneth Lucious

date: 12.10.23

(3)

CERTIFICATE OF CERTIFICATION

THIS WILL CERTIFY THAT A COPY OF THE  
ENCLOSED MOTION TO DISMISS COUNSEL  
B.J. CROW FROM CASE # 20 CR 1849 KWR

UNITED STATES VS. KENNETH LUCIOUS,  
WAS SENT TO COUNSEL FOR THE GOVERNMENT  
ONE COPY TO COUNSEL ~~BY~~ B.J. CROW AND  
TWO COPIES TO THE UNITED STATES DISTRICT  
COURT CLERK VIA CIBOLA COUNTY CORRECTION  
FACILITY MAIL SYSTEM ON 12-10-23

PRINT: KENNETH LUCIOUS

SIGN: Kenneth Lucious

DATE: 12-10-23

Kenneth Alvarado #31754-510  
Cibola County Correctional  
PO, Box 3540  
Medan 77.77 87021

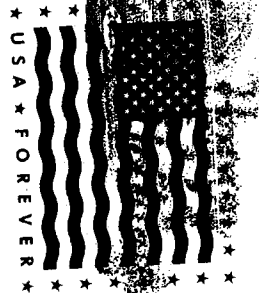
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